

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1864 be amended to read as follows:

- 1 Page 6, delete lines 27 through 42.
- 2 Page 7, delete lines 1 through 21.
- 3 Page 9, between lines 37 and 38, begin a new paragraph and
- 4 insert:
- 5 "SECTION 7. IC 34-13-3-4 IS AMENDED TO READ AS
- 6 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. The combined
- 7 aggregate liability of all governmental entities and of all public
- 8 employees, acting within the scope of their employment and not
- 9 excluded from liability under section 3 of this chapter, does not exceed
- 10 three hundred thousand dollars (\$300,000) for injury to or death of one
- 11 (1) person in any one (1) occurrence and does not exceed five million
- 12 dollars (\$5,000,000) for injury to or death of all persons in that
- 13 occurrence. A governmental entity **or employee of a governmental**
- 14 **entity acting within the scope of employment** is not liable for
- 15 punitive damages."
- 16 Page 10, line 37, after "or" insert "**has received proper legal**
- 17 **notice and**".
- 18 Page 10, line 40, strike "pay:" and insert "**pay**".
- 19 Page 10, line 42, strike "(1)".
- 20 Page 10, run in lines 41 through 42.
- 21 Page 10, line 42, delete "**(other than for punitive damages)**".
- 22 Page 11, line 4, strike "loss;" and insert "**loss.**".
- 23 Page 11, line 4, delete "**or**".
- 24 Page 11, line 5, strike "(2)".
- 25 Page 11, line 5, delete "**any judgment for punitive damages,**

- 1 **compromise, or".**
- 2 Page 11, delete lines 6 through 8.
- 3 Page 11, line 9, delete "**may or may not beheld personally liable**
- 4 **for the loss, and".**
- 5 Page 11, line 9, strike "the:".
- 6 Page 11, strike lines 10 through 13.
- 7 Page 11, line 14, strike "determines that paying the judgment".
- 8 Page 1, line 14, delete "**for punitive damages,".**
- 9 Page 11, strike lines 15 through 16.
- 10 Renumber all SECTIONS consecutively.
(Reference is to HB 1864 as printed February 18, 2003.)

Representative TORR